

**LAPEER CITY COMMISSION
MINUTES OF A REGULAR MEETING
January 3, 2017**

A regular meeting of the Lapeer City Commission was held January 3, 2017 at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan. The meeting was called to order at 6:30 p.m.

ROLL CALL

Present: Mayor Sprague.
Commissioners Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Absent: None.

City Manager: Dale Kerbyson, present.
City Attorney: Michael Nolan, present.

Mayor Sprague led the Pledge of Allegiance.

AGENDA APPROVAL

1 2017 01-03

Moved by Bennett. Seconded by Gates.
Approve the Agenda for January 3, 2017 as presented.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.

MOTION CARRIED.

MINUTES

2 2017 01-03

Moved by Marquardt. Seconded by Gates.
Approve the minutes from the Regular meeting held December 19, 2016 as presented.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.

MOTION CARRIED.

Minutes from various Boards and Commissions were received into record.

PUBLIC COMMENTS

Janet Adams, Baldwin Road, gave invocation.

Snowman and Penguin Naming Contest.

Mayor Sprague introduced the winners from the Snowman and Penguin Naming Contest: Snowman name La Pierre winners Lisa Huff and Erica Coster; Penguin names Tux and Bow Tie winner Jacqueline Wellington; City Manager Dale Kerbyson indicated that signs will be made for them next year; Mayor Sprague thanked Commissioner Atwood for time and effort in completing the contest.

CONSENT AGENDA

3 2017 01-03

Moved by Gates. Seconded by Atwood.
Approve the Consent Agenda for January 3, 2017 resulting in the following:
1. Special Event Request from Families Against Narcotics, Run Drugs Out Of Town, August 20, 2017, Rowden Park, contingent upon receipt of current insurance.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.

MOTION CARRIED.

BILL LISTING FOR JANUARY 3, 2017

4 2017 01-03

Moved by Marquardt. Seconded by Gates.
Approve the Bill Listing for January 3, 2017 in the amount of \$865,105.20.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS

None.

PUBLIC HEARINGS

None.

ADMINISTRATIVE REPORTS

Calhoun Street Improvements – Special Assessment District.

5 2017 01-03

Moved by Bostick-Tullius. Seconded by Bennett.

Approve Resolution #1 preparing reports regarding the Calhoun Street Improvements, Special Assessment District #2017-01 and Resolution #2 that includes setting a public hearing on January 17, 2017 at 6:30 p.m. or a soon thereafter as may be heard to determine the necessity regarding the Calhoun Street Improvements, Special Assessment District #2017-01.

RESOLUTION NO. 1

**CITY OF LAPEER
SPECIAL ASSESSMENT
Calhoun Street Improvements
Special Assessment District #2017-01**

WHEREAS, pursuant to provisions of Chapter 11 of the City Charter and Chapter 64 (Special Assessment Ordinance) of the General Ordinances of the City of Lapeer, the Lapeer City Commission may commence proceedings for the making of local public improvements within the City and determine the tentative necessity thereof without a petition; and

WHEREAS, the Lapeer City Commission deems it in the public interest, health and welfare to make certain public improvements in the City.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Manager is directed to investigate and prepare a report in accordance with the provisions of Chapter 64 (Special Assessment Ordinance), Section 64.03 of the General Ordinances of the City of Lapeer for the Calhoun Street Improvements.
2. When the aforesaid report is completed, the City Manager shall file the same with the City Clerk for presentation to the City Commission.
3. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

RESOLUTION NO. 2

**CITY OF LAPEER
SPECIAL ASSESSMENT
Calhoun Street Improvements
Special Assessment District No. 2017-01**

WHEREAS, the City Manager has prepared a report(s) concerning certain public improvements as hereinafter described, in accordance with the provisions of Chapter 64 (Special Assessment Ordinance), Section 64.03 of the General Ordinances of the City of Lapeer; and

WHEREAS, the Lapeer City Commission has reviewed said report(s); and

WHEREAS, the Lapeer City Commission determines that it is necessary to acquire and construct the public improvements in the City of Lapeer more particularly hereinafter described in this resolution.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The aforesaid report(s) shall be placed on file in the office of the City Clerk where the same shall be available for public examination.
2. The Lapeer City Commission hereby determines that the public improvements described more particularly hereinafter provided for are necessary.
3. Said special assessment district shall consist of all of the lots and parcels of land as herein described:

That part of Calhoun Street extending from the south right-of-way of Nepessing Street southerly to the northerly right-of-way of Genesee Street.

4. The total cost of said public improvements according to frontage (or benefits) is estimated to be \$336,796.00 of which \$50,519.40 shall be spread over the special assessment district as hereinafter described, and \$286,276.60 which shall be paid by the City.
5. The estimated life of such improvements is not less than 20 years.
6. The City Commission will meet on January 17, 2017 at 6:30 o'clock p.m., Local Time, at the City Hall for the purpose of hearing objections to the making of said public improvements and to the special assessment district.
7. The City Clerk is directed to cause notice of said hearing to be published in the LA View, Lapeer, Michigan, a newspaper of general circulation in the City of Lapeer at least ten (10) full days before the date of such hearing, and is further directed to cause notice of such hearing to be mailed by first class mail to each owner of or person in interest in the property in the special assessment district more particularly described in the following notice at the addresses shown on the last general tax assessment roll of the City, at least ten (10) full days prior to the date of such hearing.
8. The notice of said hearing to be published and mailed shall be in substantially the following form:

CITY OF LAPEER
NOTICE OF SPECIAL ASSESSMENT HEARING TO
HEAR OBJECTIONS TO PROPOSED PUBLIC
IMPROVEMENTS AND TO THE
PROPOSED SPECIAL ASSESSMENT DISTRICT

Calhoun Street Improvements
Special Assessment District #2017-01

TAKE NOTICE that the City Commission of the City of Lapeer, Lapeer County, Michigan, has determined it to be necessary to make the following described public improvement in the City of Lapeer:

Calhoun Street Improvements

Project Summary:

Project will include reconstructing Calhoun Street from Nepessing Street to Genesee Street. The Street portion of this project will include a new HMA surface; cement curb and gutters, sidewalk repairs, new ADA accessible sidewalk ramps, storm system improvements, edge drains, new pavement markings and signs. This project will also include new water main with associated appurtenances, sanitary sewer with service leads and storm sump pump leads.

The City Commission has determined that part of the cost of the above described public improvements which is estimated to be \$50,519.40, shall be assessed against all lots and parcels of property abutting the above described improvements which properties are described as follows:

That part of Calhoun Street extending from the south right-of-way of Nepessing Street southerly to the northerly right-of-way of Genesee Street.

TAKE FURTHER NOTICE that the City Commission has caused report(s) concerning said public improvements to be prepared, which report(s) include pertinent information concerning the proposed improvements and the district as well as a map of the area and these report(s) are on file in the office of the City Clerk and are available for public examination.

TAKE FURTHER NOTICE THAT THE CITY COMMISSION WILL MEET ON JANUARY 17, 2017 AT 6:30 O'CLOCK P.M., LOCAL TIME, AT THE CITY HALL IN THE CITY OF LAPEER FOR THE PURPOSE OF HEARING OBJECTIONS TO THE NECESSITY OF MAKING OF SUCH PUBLIC IMPROVEMENTS AND TO THE PROPOSED SPECIAL ASSESSMENT DISTRICT.

THIS NOTICE is given by order of the City Commission of the City of Lapeer, Lapeer County, Michigan.

DONNA L. CRONCE, MMC/CMMC
CITY CLERK, CITY OF LAPEER

9. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

MOTION CARRIED. RESOLUTIONS DECLARED ADOPTED.

Court Street Improvements – Special Assessment District.

6 2017 01-03

Moved by Bostick-Tullius. Seconded by Gates.

Approve Resolution #1 preparing reports regarding the Court Street Improvements, Special Assessment District #2017-02 and Resolution #2 that includes setting a public hearing on January 17, 2017 at 6:30 p.m. or as soon thereafter as may be heard to determine the necessity regarding the Court Street Improvements, Special Assessment District #2017-02.

RESOLUTION NO. 1

CITY OF LAPEER
SPECIAL ASSESSMENT
Court Street Improvements
Special Assessment District #2017-02

WHEREAS, pursuant to provisions of Chapter 11 of the City Charter and Chapter 64 (Special Assessment Ordinance) of the General Ordinances of the City of Lapeer, the Lapeer City Commission may commence proceedings for the making of local public improvements within the City and determine the tentative necessity thereof without a petition; and

WHEREAS, the Lapeer City Commission deems it in the public interest, health and welfare to make certain public improvements in the City.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Manager is directed to investigate and prepare a report in accordance with the provisions of Chapter 64 (Special Assessment Ordinance), Section 64.03 of the General Ordinances of the City of Lapeer for the Calhoun Street Improvements.
2. When the aforesaid report is completed, the City Manager shall file the same with the City Clerk for presentation to the City Commission.

3. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

RESOLUTION NO. 2

CITY OF LAPEER
SPECIAL ASSESSMENT
Court Street Improvements
Special Assessment District No. 2017-02

WHEREAS, the City Manager has prepared a report(s) concerning certain public improvements as hereinafter described, in accordance with the provisions of Chapter 64 (Special Assessment Ordinance), Section 64.03 of the General Ordinances of the City of Lapeer; and

WHEREAS, the Lapeer City Commission has reviewed said report(s); and

WHEREAS, the Lapeer City Commission determines that it is necessary to acquire and construct the public improvements in the City of Lapeer more particularly hereinafter described in this resolution.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The aforesaid report(s) shall be placed on file in the office of the City Clerk where the same shall be available for public examination.
2. The Lapeer City Commission hereby determines that the public improvements described more particularly hereinafter provided for are necessary.
3. Said special assessment district shall consist of all of the lots and parcels of land as herein described:

That part of Court Street beginning south of the Court Street Bridge and continuing southerly to the northerly right-of-way of West Genesee Street.

4. The total cost of said public improvements according to frontage (or benefits) is estimated to be \$609,671.00 of which \$91,450.56 shall be spread over the special assessment district as hereinafter described, and \$518,220.44 which shall be paid by the City.
5. The estimated life of such improvements is not less than 20 years.
6. The City Commission will meet on January 17, 2017 at 6:30 o'clock p.m., Local Time, at the City Hall for the purpose of hearing objections to the making of said public improvements and to the special assessment district.
7. The City Clerk is directed to cause notice of said hearing to be published in the LA View, Lapeer, Michigan, a newspaper of general circulation in the City of Lapeer at least ten (10) full days before the date of such hearing, and is further directed to cause notice of such hearing to be mailed by first class mail to each owner of or person in interest in the property in the special assessment district more particularly described in the following notice at the addresses shown on the last general tax assessment roll of the City, at least ten (10) full days prior to the date of such hearing.
8. The notice of said hearing to be published and mailed shall be in substantially the following form:

CITY OF LAPEER
NOTICE OF SPECIAL ASSESSMENT HEARING TO
HEAR OBJECTIONS TO PROPOSED PUBLIC
IMPROVEMENTS AND TO THE
PROPOSED SPECIAL ASSESSMENT DISTRICT

Special Assessment District #2017-02

TAKE NOTICE that the City Commission of the City of Lapeer, Lapeer County, Michigan, has determined it to be necessary to make the following described public improvement in the City of Lapeer:

Court Street Improvements

Project Summary:

Project will include reconstructing Court Street from the Court Street Bridge to Genesee Street. The Street portion of this project will include a new HMA surface; cement curb and gutters, sidewalk repairs, new ADA accessible sidewalk ramps, storm system improvements, edge drains, new pavement markings and signs. This project will also include new water main with associated appurtenances, sanitary sewer with service leads and storm sump pump leads.

The City Commission has determined that part of the cost of the above described public improvements which is estimated to be \$91,450.56, shall be assessed against all lots and parcels of property abutting the above described improvements which properties are described as follows:

That part of Court Street beginning south of the Court Street Bridge and continuing southerly to the northerly right-of-way of West Genesee Street.

TAKE FURTHER NOTICE that the City Commission has caused report(s) concerning said public improvements to be prepared, which report(s) include pertinent information concerning the proposed improvements and the district as well as a map of the area and these report(s) are on file in the office of the City Clerk and are available for public examination.

TAKE FURTHER NOTICE THAT THE CITY COMMISSION WILL MEET ON JANUARY 17, 2017 AT 6:30 O'CLOCK P.M., LOCAL TIME, AT THE CITY HALL IN THE CITY OF LAPEER FOR THE PURPOSE OF HEARING OBJECTIONS TO THE NECESSITY OF MAKING OF SUCH PUBLIC IMPROVEMENTS AND TO THE PROPOSED SPECIAL ASSESSMENT DISTRICT.

THIS NOTICE is given by order of the City Commission of the City of Lapeer, Lapeer County, Michigan.

DONNA L. CRONCE, MMC/CMMC
CITY CLERK, CITY OF LAPEER

- 9. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.
Nays: None.
Absent: None.

MOTION CARRIED.

DeMille Street Improvements – Special Assessment District.

7 2017 01-03

Moved by Marquardt. Seconded by Gates.

Approve Resolution #1 preparing reports regarding the DeMille Street Improvements, Special Assessment District #2017-03 and Resolution #2 that includes setting a public hearing on January 17, 2017 at 6:30 p.m. or as soon thereafter as may be heard to determine the necessity regarding the DeMille Street Improvements, Special Assessment District #2017-03.

RESOLUTION NO. 1

CITY OF LAPEER
SPECIAL ASSESSMENT
DeMille Street Improvements
Special Assessment District #2017-03

WHEREAS, pursuant to provisions of Chapter 11 of the City Charter and Chapter 64 (Special Assessment Ordinance) of the General Ordinances of the City of Lapeer, the Lapeer City Commission may commence proceedings for the making of local public improvements within the City and determine the tentative necessity thereof without a petition; and

WHEREAS, the Lapeer City Commission deems it in the public interest, health and welfare to make certain public improvements in the City.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Manager is directed to investigate and prepare a report in accordance with the provisions of Chapter 64 (Special Assessment Ordinance), Section 64.03 of the General Ordinances of the City of Lapeer for the Calhoun Street Improvements.
2. When the aforesaid report is completed, the City Manager shall file the same with the City Clerk for presentation to the City Commission.
3. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

RESOLUTION NO. 2

CITY OF LAPEER
SPECIAL ASSESSMENT
DeMille Street Improvements
Special Assessment District No. 2017-03

WHEREAS, the City Manager has prepared a report(s) concerning certain public improvements as hereinafter described, in accordance with the provisions of Chapter 64 (Special Assessment Ordinance), Section 64.03 of the General Ordinances of the City of Lapeer; and

WHEREAS, the Lapeer City Commission has reviewed said report(s); and

WHEREAS, the Lapeer City Commission determines that it is necessary to acquire and construct the public improvements in the City of Lapeer more particularly hereinafter described in this resolution.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The aforesaid report(s) shall be placed on file in the office of the City Clerk where the same shall be available for public examination.
2. The Lapeer City Commission hereby determines that the public improvements described more particularly hereinafter provided for are necessary.
3. Said special assessment district shall consist of all of the lots and parcels of land as herein described:

That part of DeMille Street beginning at the westerly right-of-way of Harrison Street and continuing westerly along DeMille Street to a point of ending described as being located S88°02'33"W ALG N SEC LN 1100 FT FRM NE COR of Section 7, City of Lapeer.

4. The total cost of said public improvements according to frontage (or benefits) is estimated to be \$473,150.00 of which \$40,073.00 shall be spread over the special assessment district as hereinafter described, and \$227,077.00 which shall be paid by the City and \$206,000.00 DEQ Scrap Tire Grant.
5. The estimated life of such improvements is not less than 20 years.

6. The City Commission will meet on January 17, 2017 at 6:30 o'clock p.m., Local Time, at the City Hall for the purpose of hearing objections to the making of said public improvements and to the special assessment district.
7. The City Clerk is directed to cause notice of said hearing to be published in the LA View, Lapeer, Michigan, a newspaper of general circulation in the City of Lapeer at least ten (10) full days before the date of such hearing, and is further directed to cause notice of such hearing to be mailed by first class mail to each owner of or person in interest in the property in the special assessment district more particularly described in the following notice at the addresses shown on the last general tax assessment roll of the City, at least ten (10) full days prior to the date of such hearing.
8. The notice of said hearing to be published and mailed shall be in substantially the following form:

CITY OF LAPEER
 NOTICE OF SPECIAL ASSESSMENT HEARING TO
 HEAR OBJECTIONS TO PROPOSED PUBLIC
 IMPROVEMENTS AND TO THE
 PROPOSED SPECIAL ASSESSMENT DISTRICT

DeMille Street Improvements
 Special Assessment District #2017-03

TAKE NOTICE that the City Commission of the City of Lapeer, Lapeer County, Michigan, has determined it to be necessary to make the following described public improvement in the City of Lapeer:

DeMille Street Improvements

Project Summary:

Project will include reconstructing DeMille Street from Harrison Street west to the beginning of DeMille Blvd. This project will include HMA base crushed and reshaped, structure adjustments, installation of pavement, underdrain, minor curb and gutter replacement as required and the placement of 9 inches of asphalt.

The City Commission has determined that part of the cost of the above described public improvements which is estimated to be \$40,073.00, shall be assessed against all lots and parcels of property abutting the above described improvements which properties are described as follows:

That part of DeMille Street beginning at the westerly right-of-way of Harrison Street and continuing westerly along DeMille Street to a point of ending described as being located S88°02'33"W ALG N SEC LN 1100 FT FRM NE COR of Section 7, City of Lapeer.

TAKE FURTHER NOTICE that the City Commission has caused report(s) concerning said public improvements to be prepared, which report(s) include pertinent information concerning the proposed improvements and the district as well as a map of the area and these report(s) are on file in the office of the City Clerk and are available for public examination.

TAKE FURTHER NOTICE THAT THE CITY COMMISSION WILL MEET ON JANUARY 17, 2017 AT 6:30 O'CLOCK P.M., LOCAL TIME, AT THE CITY HALL IN THE CITY OF LAPEER FOR THE PURPOSE OF HEARING OBJECTIONS TO THE NECESSITY OF MAKING OF SUCH PUBLIC IMPROVEMENTS AND TO THE PROPOSED SPECIAL ASSESSMENT DISTRICT.

THIS NOTICE is given by order of the City Commission of the City of Lapeer, Lapeer County, Michigan.

DONNA L. CRONCE, MMC/CMMC
 CITY CLERK, CITY OF LAPEER

9. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

CITY MANAGER'S REPORT

None.

CITY ATTORNEY'S REPORT

None.

UNFINISHED BUSINESS

8 2017 0103

Mayor Sprague appointed. Moved by Bostick-Tullius. Seconded by Bennett.

Appoint the following:

Joe Morey EDC/TIFA/Brownfield, term ending 03-01-21.

Tori Duve EDC/TIFA/Brownfield, term ending 03-01-18.

Angela Schliter EDC/TIFA/Brownfield, term ending 03-01-17.

MOTION CARRIED.

DEPARTMENTAL COMMUNICATIONS

None.

PUBLIC COMMENTS

Dan Gerlach, Horton Street commented that he normally cannot attend Monday meetings; is in favor of the Court Street Special Assessment, largest landowner in area; would be in favor of a special assessment for Cedar Street; questioned whether the City could help in any way to overturn the ambulance millage, he would appreciate it.

MAYOR/COMMISSIONER COMMENTS

Commissioner Atwood: Thanked City Manager for leadership, had issues that were promptly taken care of; staff does fantastic job as well.

Commissioner Marquardt: Update on Project Homeless Connect event.

City Manager Dale Kerbyson: City gives an annual Contribution to Project Homeless Connect event; welcome moving into the new year.

Mayor Sprague: Safe holidays; thank you to staff; work on upcoming budget.

ADJOURNMENT

9 2017 01-03

Moved by Bennett.

Adjourn the regular meeting.

Ayes: Atwood, Bennett, Bostick-Tullius, Gates, Marquardt.

Nays: None.

Absent: None.

MOTION CARRIED.

The regular meeting adjourned at 6:45 p.m.

William J. Sprague, Mayor

Donna L. Cronce, City Clerk

Tracey S. Russell, Deputy City Clerk